

REMARKS

The Examiner has rejected claims 1-18 under 35 U.S.C. § 102(e) as being unpatentable over Rekimoto (U.S. Patent No. 6,636,249).

As the Examiner pointed out, the present patent application and Rekimoto were, at the time the present invention was made, owned by or subject to an obligation of assignment to the same company, Sony Corporation of Tokyo, Japan. An assignment of the present invention to Sony Corporation was recorded January 7, 2003 at reel/frame 012434/0444 with the United States Patent and Trademark Office. Rekimoto is solely assigned to Sony Corporation. As indicated in the enclosed Declaration, all inventions disclosed but not claimed in Rekimoto were subject to an obligation of assignment to Sony Corporation, the owner of the present invention, and is thus not the invention “by another.” Therefore, Applicant respectfully submits that Rekimoto does not constitute prior art under § 102(e) against the present patent application.

Accordingly, claims 1-18 are allowable over Rekimoto and Applicant respectfully requests withdrawal of this rejection.

Conclusion

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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